

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Goda et al.

Docket No.

MAT-8189US

Serial No.

09/980,880

Filing Date

September 3, 2002

Examiner

To Be Assigned

Group Art Unit

To Be Assigned

Invention: TOP SEALING PLATE, BATTERY USING THE TOP SEALING PLATE, AND METHOD OF MANUFACTURING THE BATTERY

I hereby certify that the following correspondence:

Renewed Petition Under 37 CFR 1.181 (2)

Copy of Docket 03/22/02 to 03/25/02 (5)

Postcard

(Identify type of correspondence)

Is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to:

The Assistant Commissioner for Patents, Washington, D.C. 20231 on December 26, 2002

Kathleen Libby
(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)
EV 187424105 US
("Express Mail" Mailing Label Number)
Note: Each paper must have its own certificate of mailing.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshio Goda et al. : Art Unit: To Be Assigned
Serial No.: 09/980,880 : Examiner: To Be Assigned
Filed: September 3, 2002 (MISSING REQ. DATE) :
FOR: TOP SEALING PLATE, BATTERY USING THE : **ATTN: Office of PCT Legal**
TOP SEALING PLATE, AND METHOD OF MANUFACTURING **Administration**
THE BATTERY

RENEWED PETITION UNDER 37 CFR 1.181

Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

S I R :

This Renewed Petition is being filed in response to the Decision in the above-identified application which was mailed on December 2, 2002.

The Decision was dismissed because of the omission of several items from the original petition which was filed on September 3, 2002. This renewed petition is being filed to correct the omissions from the previous petition.

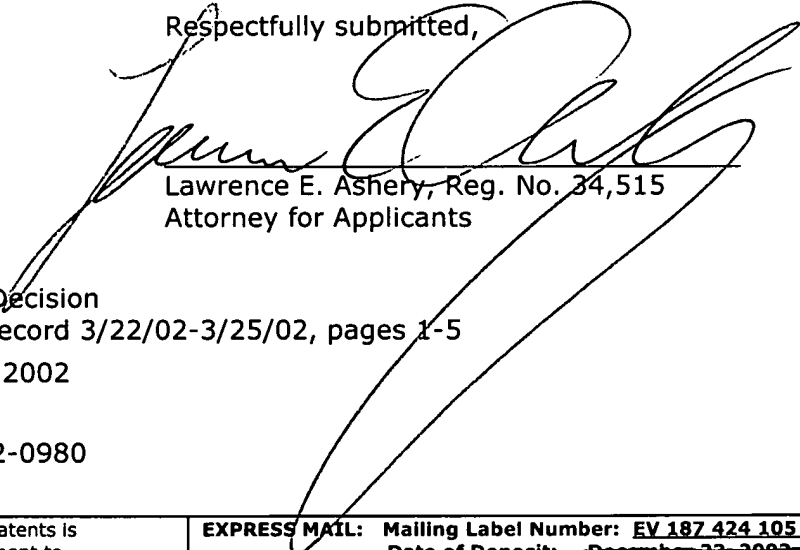
I, Lawrence E. Ashery, am the attorney of record for the above-identified application. I have primary responsibility for the successful filing, prosecution and allowance of the above-identified application. I now understand that on January 24, 2002, the Office mailed a notification of missing requirements indicating that an oath or declaration in compliance with 37 CFR 1.497 (a) through (b) and the surcharge under 37 CFR 1.492 were required. That notification, however, was neither received by myself or by any other employees of my company, RatnerPrestia. I have conducted a full and exhaustive search of the RatnerPrestia file jacket for this application as well as all RatnerPrestia docket records. Based on my search of the file jacket and the docket records, I have determined that the notification of missing requirements was not received. Furthermore, I enclose a copy of the docket record where the non-received notification would have been entered had it been received. Specifically, an entry for this application under our docket number, MAT-8189US, would have appeared on March 24, 2002. As can be seen from a review of the enclosed docket record, an entry for MAT-8189US does not appear. This docket

record is the "global docket record" for RatnerPrestia. In other words, any official mailing from the USPTO received by RatnerPrestia would appear on this docket record with its respective due date. As can be seen, there is no entry in the docket record on March 24, 2002 under attorney docket number MAT-8189US.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Granting of the petition is respectfully requested.

Respectfully submitted,


Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/mjs

Enclosures: Copy of Decision
Docket Record 3/22/02-3/25/02, pages 1-5

Dated: December 26, 2002

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

EXPRESS MAIL: Mailing Label Number: EV 187 424 105 US
Date of Deposit: ~~December 23, 2002~~

I hereby certify that this paper and fee are being deposited, under 37 C.F.R. § 1.10 and with sufficient postage, using the "Express Mail Post Office to Addressee" service of the United States Postal Service on the date indicated above and that the deposit is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


KATHLEEN LIBBY

12/26/02
Kd